

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 10-7-69 (by deft.)

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS	
William Gaines vs Milex, Inc., a corporation		For plaintiff: C. W. Pate 1406 Terrace Drive Tulsa, Oklahoma 74103 939-2445 For defendant: B. W. Tabor P. O. Box 1439 Tulsa, Oklahoma Ph. 587-3361	

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 11-1-69 4-28-70	Clerk	1969 10-7 10-9-69	Tabor C/D 16	15 00	15 00
J.S. 6 mailed 4-1-70 3-1-71	Marshal				
Basis of Action: Breach of contract	Docket fee				
	Witness fees				
Action arose at: Tulsa	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-7-69	Petition for removal from the District Court of Tulsa County, Oklahoma, filed. ds	
10-7-69	Bond on removal, filed. Milex, Inc. as principal, and Oklahoma Surety Company, as surety, in the sum of \$500.00. ds	
10-7-69	Notice of filing of petition and bond for removal by single defendant, filed. ds	
10-7-69	Defendant's Answer, filed. ds	
10-7-69	Defendant's Interrogatories to plaintiff, filed. ds	
10-8-69	Acknowledgment of the Clerk of the Dist. Court in and for Tulsa County, Okla., of receipt of copy of the notice, petition and bond for removal, filed. m	
10-23-69	Plaintiff's answers to defendant's first interrogatories, filed. ds	
12-5-69	Case set for pre-trial hearing on Tues. Dec. 16/69 at 11:45 A.M. (FD-J)h	
12-16-69	Pre-trial hearing held. Parties to file simultaneous briefs on question of damages, etc., within 30 days. Pltf. to prepare pre-trial order within 20 weeks and case to be set on next jury docket. (FD-J)m	
1-9-70	Pre-Trial Order, filed (Fred Daugherty-Judge). js	
1-13-70	Case set for jury trial Tuesday 3-10-70 at 9:30 a.m. (FD-J)m	
1-15-70	Defendant's brief, filed. ds	
1-22-70	Ordered by the Court that the plaintiff is granted until February 1, 1970 within which time to file trial brief. (Fred Daugherty - Judge) b	
2-2-70	Pre-trial brief, filed. m	
3-10-70	Ordered by the Court that the trial of this case is passed until Thursday, March 12, 1970 at 9:30 A. M. (Fred Daugherty - Judge) b	
3-12-70	Depositions of Joseph Breneman, Bryan L. Cosden, Richard M. Strauss, Alex MarElia and Robert W. Mendelsohn, taken at Philadelphia, Pa., filed. g	
3-12-70	Case tried to a jury March 12 and 13, 1970, order of proof filed in open Court. Jury returns with verdict in favor of the plaintiff in the amount of \$16,000.00, verdict ordered received, read and filed in open court. Jury discharged. (Fred Daugherty - Judge) (LC-CSR) b	
3-13-70	Trial exhibits filed in open Court. b	
3-13-70	Judgment filed and entered, that the plaintiff recover \$16,000.00, interest and costs from the defendant. (MME-Clerk) copies mailed to counsel. b	
3-23-70	Defendant's motion for new trial, with brief attached, filed. b	
3-23-70	Defendant's motion for judgment notwithstanding the verdict, filed. b with brief attached, filed	
3-24-70	Ordered that pltf. respond to deft's motion for judgment notwithstanding the verdict and motion for new trial with supporting brief within 15 days. (FD-J)m	
4-2-70	Pltf's response to motion for new trial, filed. m	
4-2-70	Pltf's response to motion for judgment notwithstanding the verdict, filed. m	
4-28-70	Oral arguments made on defendant's motion for new trial and defendant's motion for judgment notwithstanding the verdict, ordered by the Court that the defendant's motion for judgment notwithstanding the verdict is overruled; and defendant's motion for new trial is granted. (Fred Daugherty - Judge) b (LC-CSR) b	
5-20-70	Order that deft's motion for judgment notwithstanding the verdict is denied & that deft's motion for new trial is sustained, filed. (FD-J)m (copies mailed)	
9-2-70	Ordered by the Court that this case is set for jury trial on Tuesday, October 27, 1970 at 9:30 A. M. (Fred Daugherty - Judge) b	

D. C. 110A Rev. Civil Docket Continuation

Sheet No. 2

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DATE	PROCEEDINGS	Date Order or Judgment Noted
10-7-70	Ordered by the Court that this case is re-set for jury trial on Monday, October 26, 1970 at 9:30 A. M. (Fred Daugherty - Judge) b	
10-23-70	Minute Order: It is ordered by the Court that this case is stricken from the jury trial assignment of October 26, 1970 pending settlement. (Fred Daugherty - Judge) b	
1-8-71	Case set for jury trial, 9:30 A.M., Tues., 2-16-71. (FD-J)g	
2-10-71	Plaintiff's motion to dismiss, filed. b	
2-10-71	Order of dismissal of 2-9-71, filed and entered, cause dismissed at the cost of plaintiff, with prejudice to bring a new action. (Fred Daugherty - Judge) b copies mailed	

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